

AGENDA
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, DECEMBER 14, 2004
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, December 7, 2004. (A copy of these minutes is on file in the office of the Lancaster County Clerk or can be accessed at <http://www.lancaster.ne.gov>).

- 2) **PUBLIC COMMENT:** The public comment period is limited to thirty (30) minutes in duration and each speaker is limited to five (5) minutes. These time limits may be extended at the discretion of the County Board Chair. Comments will be limited to items on the agenda.

- 3) **CLAIMS FOR REVIEW:**
 - A. Payment Voucher 782-6786, dated November 16, 2004 - Families First and Foremost has requested payment to Christian Heritage, in the amount of \$1,937.50, for services provided during May, 2004. The claim is beyond the 90 day time period (see Neb. Rev. Stat. §23-135).

 - B. Payment Voucher 782-6780, dated November 16, 2004 - Families First and Foremost has requested payment to Visinet, Inc., in the amount of \$330.96, for services provided between February, 2004 and July, 2004. The claim is beyond the 90 day time period (see Neb. Rev. Stat. §23-135).

 - C. Payment Voucher 782-6790, dated November 16, 2004 - Families First and Foremost has requested payment to Cedars Youth Services, in the amount of \$2,862.50, for services provided between February, 2004 and June, 2004. The claim is beyond the 90 day time period (see Neb. Rev. Stat. §23-135).

 - D. Payment Voucher 782-6872, dated November 30, 2004 - Families First and Foremost has requested payment to Katy Hilgenkamp, in the amount of \$142.10, for foster care and respite services provided between June, 2004 and August, 2004. This claim is beyond the 90 day time period (see Neb. Rev. Stat. §23-135).

**IF YOU ARE HERE TO PARTICIPATE ON AN ITEM AND NEED SPECIAL
CONSIDERATION BECAUSE OF A SCHEDULE CONFLICT OR SOME OTHER ITEM,
PLEASE LET THE CLERK KNOW PRIOR TO THE MEETING SO WE MAY
ACCOMMODATE YOUR NEEDS.**

4) **CLAIMS:** Approval of all claims processed through Tuesday, December 14, 2004.

5) **PUBLIC HEARINGS:**

- A. County Preliminary Plat 04023, Fisherman's Landing, requested by Brian D. Carstens and Associates on behalf of Pendel, Inc., for eleven residential acreage lots on property generally located northwest of the intersection of South 176th Street and Firth Road in Lancaster County, Nebraska. (See New Business Item 7A for correlating resolution.)
- B. County Special Permit 04049, Fisherman's Landing Community Unit Plan, requested by Brian D. Carstens and Associates on behalf of Pendel, Inc., for eleven residential acreages on property generally located northwest of the intersection of South 176th Street and Firth Road in Lancaster County, Nebraska. (See New Business Item 7B for correlating resolution.)

6) **OLD BUSINESS:**

- A. Clarification of an award of bid to Wick's Sterling Trucks, Inc. for four, 56,000 GVWR (LT7501) cab and chassis trucks for the County Engineering Department, in the amount of \$53,875 per truck, complete with Option 27 to include one each front wheelless tire and one each rear spare wheelless tire. Total amount of the award is \$216,400. (B-04-0055)

7) **NEW BUSINESS:**

- A. A resolution in the matter of County Preliminary Plat 04023, Fisherman's Landing, requested by Brian D. Carstens & Associates, on behalf of Carolyn Jahde and Pendel, Inc. for eleven residential acreage lots on property generally located northwest of the intersection of South 176th Street and Firth Road in Lancaster County, Nebraska. (R-04-0150)
- B. A resolution in the matter of County Special Permit 04049, requested by Brian D. Carstens and Associates, on behalf of Carolyn Jahde and Pendel, Inc., to create eleven residential acreage units, on property generally located northwest of the intersection of South 176th Street and Firth Road in Lancaster County, Nebraska (R-04-0149)
- C. An application for a Special Designated License from BDF, L.L.C. d/b/a Libations to provide liquor beverage service for a private New Year's Eve party on Friday, December 31, 2004 from 4 p.m. to 1 a.m. at Country Pines, located at 6305 West Adams in Lancaster County, Nebraska.
- D. A lease purchase agreement, resolution and related documents with the Nebraska Association of County Officials (NACO) Leasing Corporation for the acquisition of two, 2004 Chevrolet Express 15 passenger vans for the Lancaster County Community Mental Health Center. Term of the lease purchase agreement is December 16, 2004 through December 15, 2008. The principal is \$48,645 with an interest rate of three percent. Payment will be made semiannually, in the amount of \$6,497.66. (C-04-0598 and Resolution 04-0152)

7) **NEW BUSINESS CONTINUED:**

- E. An agreement with Progressive Construction L.L.C. to provide general contracting services in connection with a pre-fabricated vehicle storage facility at Cherrycreek Road, in the amount of \$372,220. The work will begin upon notice to proceed by Lancaster County and will be completed 126 calendar days after said notice is given which will be on or about December 15, 2004. (C-04-0601)
- F. A contract with Midwest Roofing, Inc., in the amount of \$79,937, to re-roof the Lancaster County Extension Building at Cherrycreek Road. The work will begin upon notice to proceed by Lancaster County and will be completed 95 calendar days after said notice is given which will be on or about December 15, 2004. (C-04-0602)
- G. An agreement with the State of Nebraska, Department of Roads for improvement of U.S. Highway 34 west of Lincoln; Project STPD-34-6(133). The County desires the State to improve Northwest 48th Street from U.S. Highway 34 to Wood Lawn and replace the existing bridge over Elk Creek. The County will reimburse the State, in the amount of \$8,307.50, for the acquisition of right-of-way. The County will also reimburse the State 15 percent of an estimated cost of \$811,000 for the construction of the new bridge over Elk Creek. (C-04-0603)
- H. An agreement with the State of Nebraska, Department of Roads to allow the State to use designated County roads, as provided in Exhibit "A", as a detour for the duration of Project EACSTPD-79-2(102) and STPD-BR-78-2(108), improvement of Highway N-79 south of Raymond and Highway N-79 north and south of Agnew. (C-04-0604)
- I. An agreement with the State of Nebraska, Department of Roads to allow the State to use designated County roads, as provided in Exhibit "A", as a detour for the duration of Project MISC-33-6(1016), culvert replacement on Highway N-33. (C-04-0605)
- J. A grant contract with the Malone Community Center to assist in providing the "Talk My Father Never Had" Program, in the amount of \$5,000. Term of the grant contract is July 1, 2004 to June 30, 2005. (C-04-0606)
- K. An interlocal agreement with the Lincoln-Lancaster County Railroad Transportation Safety District for funding for the specific phases of the Hickman Viaduct, Project C55-S-401(6). The County will be reimbursed for its services estimated at \$5,214,800. The agreement term will not exceed five years from the date of execution. (C-04-0608)
- L. A grant contract, in the amount of \$20,000, with the Court Appointed Special Advocates (CASA) for Lancaster County for training and materials to volunteers in order to match those volunteers with families currently on the waiting list in the Court Appointed Special Advocates (CASA) Program. Term of the grant contract is July 1, 2004 through June 30, 2005. (C-04-0616)

7) **NEW BUSINESS CONTINUED:**

- M. A grant contract with CASA for Lancaster County for funding for the Court Appointed Special Advocates Program, in the amount of \$15,000. Term of the grant contract is July 1, 2004 through June 30, 2005. (C-04-0617)
- N. An addendum to an agreement for appraisal services, under County Contract C-03-0596, for services of qualified professional appraisers to assist the Lancaster County Assessor/Register of Deeds Office in performing the appraisal functions necessary to process the Tax Equalization and Review Commission (TERC) appeals for the 2003 tax year. The addendum authorizes Great Plains Appraisal, Inc. to also process the TERC appeals for the 2004 tax year. (C-04-0607)
- O. An amendment to an agreement with Child Guidance Center, under County Contract C-04-0272, for professional behavioral health services to high need youth who are wards of the State residing in Lancaster County. The amendment decreases the compensation from \$215,177 to \$114,761.07. (C-04-0599)
- P. An amendment with Visinet, Inc., under County Contract C-04-0271, for wraparound services to youth who are wards of the State of Nebraska, Health and Human Services Eastern Service area. As a result of the increased number of youth being serviced, the County desires additional services from Visinet for behavioral health services. As a result, the parties wish to amend the compensation from \$260,542.33 to \$409,633.45. (C-04-0600)
- Q. A resolution in the matter of authorizing the installation of an "Engine Braking Prohibited" sign on South Coddington Avenue, 1000 feet north of Denton Road for southbound traffic. (R-04-0151)
- R. Authorization of Wells Fargo Bank, as trustee, to disburse and make payment from the Lancaster County Limited Tax Building 2004 Construction Fund to the following payees:
- ▶ Alltel, in the amount of \$36.06, for telephone service at Midtown Center.
 - ▶ Midwest Door & Hardware, in the amount of \$1,900, for door hardware at the old Juvenile Detention Center.
 - ▶ Engineering Technologies, Inc., in the amount of \$12,872.98, for remodeling at the old Juvenile Detention Center.
 - ▶ TMCO Inc., in the amount of \$485, for ramp paint at Midtown Center.
 - ▶ David Wood Construction Inc., in the total amount of \$10,000, for installation of concrete and steel and general construction services.
- Total payment request is \$25,294.04.
- S. Authorization for Nationwide Retirement Solutions to move all participant assets in the Fidelity Magellan Fund and the Waddell and Reed Advisor Accumulative Fund to the Davis New York Venture Fund for both the 401(a) Lancaster County Employee Pension Plan and the 457 Deferred Compensation Program. (C-04-0619)

7) **NEW BUSINESS CONTINUED:**

- T. Ratification of the notice sent to pension and deferred compensation participants by Nationwide Retirement Solutions regarding investment changes. (C-04-0618)
- U. Amendment of the State and Local Assistance Program Nebraska Cooperative Agreement between the Nebraska Emergency Management Agency and Lancaster County, increasing the Sub-Recipient grant amount under Grant #EMK-2004-GR-4004 by \$23,887.20.

8) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

- A. Receive and Place on File:
 - 1. County Assessor/Register of Deeds Monthly Report for November, 2004.
 - 2. Records and Information Management's Monthly Report for November, 2004.
 - 3. Sheriff's Report of Fees for October, 2004.
 - 4. Lincoln City Libraries Director's Report for November, 2004.
- B. Setting of a public hearing for Tuesday, January 4, 2005 at 1:30 p.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding City-County Final Plat 04121, Timberline Estates 2nd Addition, requested by Daryl Breyer, consisting of two lots on property generally located at Southwest 56th Street and Pine Knot Drive.
- C. Request from April Tweedie, an employee at Lancaster Manor, to voluntarily participate in the County's Retirement Plan having met the requirements.
- D. A leasehold contract relating to road construction between the Lancaster County Engineering Department and Doug Johnson, in the amount of \$10, at South 162nd Street and Old Cheney Road; Project C55-Q-407(2). (C-04-0609)
- E. Right-of-way contracts relating to road construction between the Lancaster County Engineering Department and the following individuals:
 - ▶ University of Nebraska, Board of Regents, at Northwest 70th and West Superior Streets; Project C55-M-407(1). These are donations. (3 contracts) (C-04-0610 through C-04-0612)
 - ▶ Robert L. Bremer, in the total amount of \$4,316.50, at South 162nd Street and Old Cheney Road; Project C55-Q-407(2). (3 contracts) (C-04-0613 through C-04-0615)

9) **EMERGENCY ITEMS AND OTHER BUSINESS:**

10) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, December 16, 2004 beginning at 8:15 a.m. in Room 113 on the first floor of the County-City Building.
- B. Public hearings will be held on Tuesday, December 21, 2004 at 1:30 p.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding the following:
 - 1. **County Change of Zone 04074**, from AG Agricultural District to AGR Agricultural Residential District, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, on property generally located at North 84th Street and Agnew Road in Lancaster County, Nebraska.
 - 2. **County Special Permit 04058, Lakewood Hills Community Unit Plan**, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, for nine residential acreage units, on property generally located at North 84th Street and Agnew Road in Lancaster County, Nebraska.
 - 3. **County Preliminary Plat 04028, Lakewood Hills**, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, for nine residential acreage lots, on property generally located at North 84th Street and Agnew Road in Lancaster County, Nebraska.
 - 4. **County Final Plat 04126, Lakewood Hills**, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, for nine residential acreage lots, on property generally located at North 84th Street and Agnew Road in Lancaster County, Nebraska.
 - 5. **County Special Permit 04048, Adams Street Acreages Community Unit Plan**, requested by Lyle Loth of ESP on behalf of James M. Buel, for four residential acreages, on property generally located one-half mile east of North 148th and Adams Streets in Lancaster County, Nebraska.
 - 6. **County Preliminary Plat 04022, Adams Street Acreages**, requested by Lyle Loth of ESP on behalf of James M. Buel, for four residential acreage lots, on property generally located one-half mile east of North 148th and Adams Streets in Lancaster County, Nebraska.
- C. The Lancaster County Board of Commissioners meeting which is broadcast live at 1:30 p.m. on Tuesdays will be rebroadcast tonight at 6:30 p.m. and again on Saturday afternoon immediately following the City Council meeting rebroadcast on 5 City-TV, Cable Channel 5. In addition, this meeting may be viewed on the Internet 24 hours a day at <http://www.lancaster.ne.gov>. Click on 5 City-TV Video On Demand.

11) **PENDING:**

- A. Public hearing regarding County Change of Zone 04053, from AG Agricultural District to AGR Agricultural Residential District, requested by Mark Hunzeker on behalf of Wapiti Enterprises, Inc., on property generally located at the southeast corner of Southwest 40th Street and Rokeby Road in Lancaster County, Nebraska. (Recessed on September 28, 2004.)

12) **ADJOURNMENT:**

This agenda, which is kept continually current, is available for inspection in the office of the County Clerk in Lancaster County, Nebraska.

NOTE: Interpreters for the hearing impaired are available at the meetings of the County Board upon request. Please contact the County Clerk's Office at 441-7481 at least 48 hours prior to the meeting if this accommodation is required, or if you have any other special communication needs requiring assistance. Telex Sound Masters are also available for audio enhancement during the meeting.

The Board of Commissioners Agenda and Minutes may be accessed on the Internet at <http://www.lancaster.ne.gov> on the County Clerk's website.

AGENDA
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, DECEMBER 14, 2004
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, December 7, 2004. (A copy of these minutes is on file in the office of the Lancaster County Clerk or can be accessed at <http://www.lancaster.ne.gov>).

- 2) **PUBLIC COMMENT:** The public comment period is limited to thirty (30) minutes in duration and each speaker is limited to five (5) minutes. These time limits may be extended at the discretion of the County Board Chair. Comments will be limited to items on the agenda.

- 3) **ADDITIONS AND DEDUCTIONS:**

Approval of 119 additions and deductions to the tax assessment rolls per Exhibit A.

- 4) **MOTOR VEHICLE TAX EXEMPTIONS:**

Lincoln Christian School
St. Mark's United Methodist Church

- 5) **NOTICE OF ASSESSED VALUATION CHANGE:**

North Hills LTD Partnership

- 6) **PROPERTY VALUATION PROTESTS RELATING TO NOTICES OF ASSESSED VALUATION CHANGE:**

Kenters Investments L.L.C. (2 protests)

- 7) **ADJOURNMENT:**

IF YOU ARE HERE TO PARTICIPATE ON AN ITEM AND NEED SPECIAL CONSIDERATION BECAUSE OF A SCHEDULE CONFLICT OR SOME OTHER PROBLEM, PLEASE LET THE CLERK KNOW PRIOR TO THE MEETING SO WE MAY ACCOMMODATE YOUR NEEDS.